



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,515	02/17/2004	Nicholas J. Elsey	41698.1117	1385

7590

07/17/2006

Alex L. Yip  
Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022

EXAMINER
----------

CONTEE, JOY KIMBERLY

ART UNIT	PAPER NUMBER
----------	--------------

2617

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/780,515	ELSEY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Joy K. Contee	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 36-42 and 81-87 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 36-42 and 81-87 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 36-38,41,42, 81-83, 86 and 87 are rejected under 35 U.S.C. 102(b) as being anticipated by Ravenscroft et al. (Ravenscroft), US 6466663.

Regarding claim 36, Ravenscroft discloses apparatus for capturing events comprising: an interface for receiving data concerning first events; a processor for inserting the data into a database, and identifying second events based on selected data being inserted into the database; and an output for generating records representing the second events (see Fig. 3 and col. 2, line 62 to col. 6, line 53).

Regarding claim 37, Ravenscroft discloses the apparatus of claim 36 wherein the data includes identifiers identifying at least one class to which the first events belong (see Fig. 3 and col. 2, line 62 to col. 6, line 53).

Regarding claim 38, Ravenscroft discloses the apparatus of claim 36 wherein the records include identifiers identifying at least one class to which the second events belong (see Fig. 3 and col. 2, line 62 to col. 6, line 53).

Regarding claim 41, Ravenscroft discloses the apparatus of claim 36 wherein the first events concern outbound calls made from a call center, and the second events concern a selected service to which the outbound calls are connected (see Fig. 3 and col. 2, line 62 to col. 6, line 53).

Regarding claim 42, Ravenscroft discloses the apparatus of claim 36 wherein the first events concern conference calls made through a call center, and the second events concern a selected service to which the conference calls are connected (see Fig. 3 and col. 2, line 62 to col. 6, line 53).

Regarding claim 81, Ravenscroft discloses a method for capturing events comprising: receiving data concerning first events; inserting the data into a database; identifying second events based on selected data being inserted into the database; and generating records representing the second events (see Fig. 3 and col. 2, line 62 to col. 6, line 53).

Regarding claim 82, Ravenscroft discloses the method of claim 81 wherein the data includes identifiers identifying at least one class to which the first events belong (see Fig. 3 and col. 2, line 62 to col. 6, line 53).

Regarding claim 83, Ravenscroft discloses the method of claim 81 wherein the records include identifiers identifying at least one class to which the second events belong (see Fig. 3 and col. 2, line 62 to col. 6, line 53).

Art Unit: 2617

Regarding claim 86, Ravenscroft disclose the method of claim 81 wherein the first events concern outbound calls made from a call center, and the second events concern a selected service to which the outbound calls are connected (see Fig. 3 and col. 2, line 62 to col. 6, line 53).

Regarding claim 87, Ravenscroft discloses the method of claim 81 wherein the first events concern conference calls made through a call center, and the second events concern a selected service to which the conference calls are connected (see Fig. 3 and col. 2, line 62 to col. 6, line 53).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 39, 40, 84 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ravenscroft, in view of Devine et al. (Devine), US Patent No. 6,631,402.

Regarding claim 39, Ravenscroft discloses the apparatus of claim 36, but fails to explicitly disclose wherein the first events concern outbound calls made from a call center, and the second events concern long distance connections made in the outbound calls.

In a similar field of endeavor, Devine discloses wherein the first events concern outbound calls made from a call center, and the second events concern long distance connections made in the outbound calls (see col. 16, line 39 to col. 17, line 32).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Ravenscroft to include long distance connections in its monitoring for the purpose of expanding its monitoring and expanding capabilities to get the whole picture of activity in a call center.

Regarding claim 40, Ravenscroft discloses the apparatus of claim 36, but fails to disclose wherein the first events concern conference calls made through a call center, and the second events concern long distance connections made in the conference calls.

In a similar field of endeavor, Devine discloses wherein the first events concern outbound calls made from a call center, and the second events concern long distance connections made in the outbound calls (see col. 16, line 39 to col. 17, line 32).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Ravenscroft to include long distance connections in its monitoring for the purpose of expanding its monitoring and expanding capabilities to get the whole picture of activity in a call center.

Regarding claim 84, Ravenscroft discloses the method of claim 81 but fails to disclose wherein the first events concern outbound calls made from a call

Art Unit: 2617

center, and the second events concern long distance connections made in the outbound calls.

In a similar field of endeavor, Devine discloses wherein the first events concern outbound calls made from a call center, and the second events concern long distance connections made in the outbound calls (see col. 16, line 39 to col. 17, line 32).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Ravenscroft to include long distance connections in its monitoring for the purpose of expanding its monitoring and expanding capabilities to get the whole picture of activity in a call center.

Regarding claim 85, Ravenscroft discloses the method of claim 81 but fails to disclose wherein the first events concern conference calls made through a call center, and the second events concern long distance connections made in the conference calls.

In a similar field of endeavor, Devine discloses wherein the first events concern outbound calls made from a call center, and the second events concern long distance connections made in the outbound calls (see col. 16, line 39 to col. 17, line 32).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Ravenscroft to include long distance connections in its monitoring for the purpose of expanding its monitoring and expanding capabilities to get the whole picture of activity in a call center.

Art Unit: 2617

### Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is 571.272.7906. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571.272.7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC

  
**JOY K. CONTEE**  
**PATENT EXAMINER**